

REGULAR MEETING – MAY 7, 2019

A Regular Meeting of the Highland Park Mayor and Council was held in Borough Hall, 221 South 5th Avenue, on Tuesday, May 7, 2019 and was called to order by Mayor Brill Mittler at 7:03 PM. Mayor Brill Mittler read the Open Public Meetings Statement.

Present: Mayor Brill Mittler, Councilpersons Fine, Foster-Dublin, George, Hale, Welkovits; Borough Attorney Schmierer; Borough Administrator Jover; Borough Clerk Hullings.

Absent: Councilperson Kim-Chohan.

Mayor Brill Mittler asked the Council members to present their reports.

Councilman Hale reported that the Board of Health asked him to remind everyone about the potential measles exposure for people attending the Sky Zone Trampoline Park in South Plainfield on April 22nd somewhere between noon and 5:00 p.m. He repeated that there has been no reported cases of measles or measles exposure in Highland Park, but there was at this facility in South Plainfield. If you were there, he suggested that they go to their physician. Earlier today, he attended the Middlesex County Complete County Committee Meeting. This is a county wide effort led by Freeholder Ron Rios and Assemblywoman Yvonne Lopez to make sure that everyone gets counted in the upcoming 2020 census. He appreciated that the Assistant to the Borough Administrator Emma Missey was also in attendance and he looks forward to working with her on this on the future. The two things he wanted to direct people to are (1) according to the presentation today, the Census Bureau will soon be hiring 1,250 part-time census workers in Middlesex County alone. These jobs pay \$20-21 dollars per hour and are flexible schedule wise and location wise. Anyone interested should go to <https://2020census.gov/jobs> for more information. (2) The second interesting thing to note is that NYU has created a database of “hard to count” locations nationwide. You can see that at <https://www.sensushardtcountmaps2020.us>. Highland Park does not have any areas characterized as the most hardest to count, but we do have some that will require some additional effort. He encouraged people to explore that map to see where undercounts might be happening. Lastly, he gave a thank you and recognized some of the great work that our new Police Leadership has been doing in a very short period of time. He doesn't think and he is not at all saying that this work should stop, but he does think it is important to recognize some very important changes already being made by Chief Abrams and Captain Curbelo. (1) As many of you know, the Borough asked the firm of DeLacy Davis Consulting to do an analysis of traffic stops in Highland Park. As many of you also know, that report is quite late in being produced. The primary stumbling block to this point has been that the department has two different systems for collecting data on traffic stops. Dr. Davis and Lt. Hammill have been trying to get these two systems to work together so that the data in one can be cross-listed with the data in the other. That has proven to be quite difficult. However, they hope that after consulting with one of the companies of the database system Enforsys, that they will have a path forward. Captain Curbelo, Lt. Hammill and Dr. Davis had conversations with Enforsys on creating a pathway for the two systems to talk to each other and get the data needed for Dr. Davis to be able to complete this report. He realizes this is not ideal and so does the leadership, but both of them have encouraged him to let people know that they understand its importance and they are working diligently to solve these technical problems so we can get the result we all would like to see. He thanked Chief Abrams and Captain Curbelo for their efforts on this and Lt. Hammill for his diligence in working through the data issues. (2) There are many things that are important to mention about our new police leadership team. Not because they have waved a magic wand and made everything perfect, but because they have made significant first steps in a short period of time. Here are some examples: (3) The leadership team had an open public meeting the day after being sworn into office. He was unable to attend because of a family emergency, but he heard solid reports and thanked them for having the meeting and many people have expressed to him that they are looking forward to more of them. (4) Additionally, Chief Abrams reached out to three of his committees – The Immigration and Refugee Affairs Committee, the Highland Park Equity Commission and the Human Relations Commission to schedule time to meet with them and discuss various and important issues. He thanked him for reaching out in that way and he looks forward to working with him and those committees very closely. (5) He will be the first to admit that he is not a constant Facebook user, but he has heard from a number of people who have recognized the increased outreach efforts by Captain Curbelo on social media to update and inform the community. He thanked him for that as well. (6) One of those Facebook posts highlighted the attendance of Chief Abrams, Captain Curbelo, Sgts. Culver and Sachau, and Officers Palumbo and DeCosta at the National Organization of Black Law Enforcement executives annual training symposium in Atlantic City. The topics covered at this symposium included (a) violence: a public health crisis – prevention, coping and healing strategies; (b) how to develop a diversified law enforcement agency; (c) disparity in use of force; (d) implicit bias and impartial policing; (e) de-escalation training and (f) leadership for supervisors: passing the torch. He knows from speaking to these attendees that this was an informative and rewarding symposium that provided a solid foundation for making sure all of these topics and ideas became ingrained in the Highland Park Police Department culture. They know that will take some hard work and it will be a long journey, but appreciate the first steps. He wanted to commend Chief Abrams for making sure that this important training was given to all levels of Police Officers. That is so important that these ideas are distributed throughout the entire department from top to bottom. (7) Speaking of first steps, he wanted to also thank Chief Abrams and the members of the Immigration and Refugee Affairs Committee for their recent and hard work on revamping and redeveloping the department's SOP (Standard Operating Procedures) when it comes to how the Highland Park Police responds to and more importantly works with members of the Immigration and Refugee Affairs Committee. In particular, he knows the Chief will want to thank Committee Chairperson Leticia Cataldi and Committee Member John Adler for their work on wordsmithing and adding sections to the document. Both would agree that we are lucky to have a State Attorney General who is close to being on the same page as we are and with our Fair and Welcoming resolution, but this process started before Chief Abrams became Chief and he wanted to thank everyone involved with it. (8) Finally, he wanted to let everyone know that because of the leadership of Chief Abrams and Captain Curbelo, the Highland Park Police Department has significantly expanded their use of body cameras. Until recently, body cameras were only worn by uniformed officers. However, that policy has changed with the new Chief and now plainclothes officers and detectives will also have body cameras and Chief Abrams has requested additional funds to provide body cameras for administrative field officers in this year's budget. There is still quite a bit of work to do in all these areas, but he thought it was important

to take a moment to recognize the steps that this leadership team has already taken. He looks forward to many more steps and recognizing more accomplishments of this team as we work together to make the Highland Park Police Department everything it can be.

Councilwoman Welkovits reported that this past weekend was busy and the rain did not deter the runners of the annual 5K. There were 500 people registered and over 400 people still showed up to run in the race. It was chilly and super wet, but everyone had a great time. The proceeds from the race go to benefit the Highland Park Police Department, the Highland Park Fire Department, the Highland Park First Aid Squad, the Highland Park Recreation Department, the Highland Park Public Library, and Main Street Highland Park. She thanked everyone for coming out and especially the runners and the volunteers that helped make it a success. The street fair followed at 11:30 a.m. She thanked the Department of Public Works for all of their help. The street fair, even though there was a lot of rain, the rain tapered down in the afternoon and it was still a great turnout. She thanked some of the sponsors from the 5K – St. Peter's University Hospital, Oxford Realty Group, Kinetics Fitness, Over the Moon Toys, Blue Horse Restaurant, Strub Law, Geico Insurance, Oral Surgery Group, the Law Office of Jay Weinberg, Girls on the Run of Central Jersey, Council President Phil George, the Cook and the Carpenter Bake Shop, Wayne's Wash World, Kessler Rehab Center, Morty's Kosher Bake Shop, Stop & Shop, Running it Softly LLC, Fotoplicity, Penstock Coffee Roasters, Raritan Valley Road Runners, the Law Offices of Harold Gerr, Bayleaf Grill, Morgan Chen Realtor, and Hambro and Mitchell Attorneys at Law. This race was dedicated to a dear friend who passed away earlier this year. Franco Juricic passed away from pancreatic cancer. He was an advocate for pancreatic cancer research and they are still collecting funds for the pancreatic cancer action network. If you would like to donate in his memory, please go to the mainstreethp.org website and there is a link. If you would like to get your racing results, as the 5K in Highland Park is a certified race, go to racingnj.com/files/2019_hp5k. Planting days are May 16th and May 18th and you should meet at Raritan Avenue to help join them in putting flowering plants in the planters along the Avenue. The Farmer's Market opened last Friday and will be open every Friday through early December. On May 31st, don't miss the berry festival. On June 1st, the Highland Park Outdoor Movie Theater begins with Dragonslayer.

Councilwoman Foster Dublin reported that last week the Teen Center held a college readiness program with help from Rutgers University to get seniors ready for college. The Teen Center has applied for a few grants. One of the grants they applied for is to visit the African American Museum, the American Indian Museum and the Holocaust Museum in Washington. The teens will have an opportunity to go and visit these three museums. One of the grants they are looking for sponsors for is to visit the Alabama Lynching Museum. Anyone who wants to contribute to give our kids an opportunity to go and visit this museum should contact the teen center. This summer there is Workforce Development and there are job opportunities that they can apply for. The Memorial Day Parade will be held on May 27th. At 8:00 a.m. they lay wreaths at different locations. Residents should come out and support the veterans. She asked Chief Abrams to come up and given an overview of what is on the Police Blotter. She met with the Equity Commission last week and they will be meeting with the Acting Chief and Captain and Chief Spruill to talk about how they can have their input and their voices be heard as the new Acting Chief and Captain go forward. The Human Relations Commission will also meet with them as well as the Immigration and Refugee Affairs Commission.

Acting Chief Abrams reported that last month the department answered 1,457 calls. The majority of the calls were ambulance calls, 77 of them. 36 car accidents, 21 noise complaints, 6 criminal mischief, and 20 disputes. These numbers might not sound interesting, but it gives a snapshot of the town as a whole. He is working on going over the calls and how they are reported to give everyone who hears this report a better idea of what this means. Some towns post this information online and he is looking to do that as well. We are trying to keep everyone safe and they are in the process of hiring. He hopes that everyone sees some changes going forward and that they see the department more out in the streets and that residents get a chance to talk to us. Councilwoman Foster-Dublin asked Acting Chief Abrams to explain the procedures for a domestic violence call. Acting Chief Abrams explained that domestic violence calls run the gamut from aggravated assault to just an argument. Every call is unique and handled accordingly. There are certain times when they have to make arrests. They are a few call types where they do not have as much discretion. There are certain boxes to check during their investigation when they have to make an arrest and if there is not they still have discretion. There are other times when they go to a call for domestic violence and when they get there, it does not fit the category for domestic violence. Councilwoman Foster-Dublin asked if it rises to domestic violence what are the agencies that provide services/assistance. Acting Chief Abrams noted that there are some County agencies to provide assistance/help. In some domestic violence instances one or both of the parties can be entitled to a temporary restraining order. As each case is different, some of the assistance can be for adults and/or children. Sometimes the Division of Child Protective Services has to get involved. If there questions during a domestic violence call, typically the Officers try to separate everyone. The Officers can provide assistance up until a court session, but are not allowed to give legal advice. Councilwoman Foster-Dublin asked in what type of instance would they call Women Aware. Acting Chief Abrams noted that women aware would be contacted if there was a female involved in the case and if she would like assistance and talk to a counselor. Councilwoman Welkovits asked what would be the protocol if a restraining order is violated. Acting Chief Abrams noted that violation of a restraining order is pretty specific and State law requires that they find the actor who violated the order and place them under arrest. They will be sent to the County jail and remain there until they see the Judge. If the other party decides that they need some type of counseling help, they can help with that. Sometimes that is not the case. Once they know that the other individual has been arrested, they usually stop their interaction. Councilwoman Foster-Dublin asked Acting Chief Abrams to give an update on the training that they attended in Atlantic City. Acting Chief Abrams noted that there is a lot of free training available, but that is not always the best. They have increased their training budget. There is a lot of training that is mandated by the State that covers certain topics. The sent two Officers in the last two months to Crash Investigation training. The more Officers that he has trained to be Crash Investigators, the better reports they do and the faster the investigation. Tomorrow they have two Officers going to Verbal Judo, which is de-escalation training. He and the Captain will be attending Leadership of Small Law Enforcement Agencies, a two-day class offered by the National Chiefs of Police Association, on how to run a small department and the challenges you face when you have a small pool of Officers to draw

from to assign to different duties. They have sent Officers to training for OPRA (Open Public Records Act) about what information can be released. It is very important that the public knows what goes on in the Police Department, but it is also important to them that they protect the rights of the residents. It is a really tricky area and it keeps getting bigger and bigger in addition to the Freedom of Information Act, which combines with the OPRA laws. They are trying to find training that Officers are interested in. They are looking at more de-escalation training, and implicit bias training. They are interested in the results from the DeLacy Davis report. With that data, he can move the department forward and start to fix any of the glaring discrepancies that they find. They have done a lot of training so far this year and in the last month they have sent 16 Officers to different trainings. They have a whole bunch more things on the horizon left to do. They want to get all this training done, but do not want to cause overtime.

Councilman Fine reported that as the Council Liaison to the Public Library's Board of Trustees, he was surprised and upset to learn this past Sunday, May 5th, that a picture book program featuring a children's book titled "P is For Palestine", which includes the letter I is for Intifada, and its BDS supporting author Dr. Goldbarg Bashi, was scheduled for Sunday, May 19th at the Library. On the morning of Monday, May 6th, he had an opportunity to speak with the President of the Library Board of Trustees. He informed him that a decision had been made to postpone the event. He also told him that in line with the policy of the Library Board of Trustees for removing a book from the Library shelves when a complaint is made, the Library Board of Trustees would engage in a discussion regarding whether a program that was scheduled to take place should be cancelled at its next meeting Monday, May 20th at 7:30 p.m. At the meeting, which will be open to the public, the Library Board of Trustees will have an opportunity to openly discuss, amongst other items on its agenda, whether the picture book program should be cancelled. Personally, he does not believe that this picture book program with its BDS supporting author should have been scheduled at our Library in the first place. However, since it was scheduled to take place, he thinks that the Library Board of Trustees has made the right decision to hold an open public meeting to explain how and why this program was scheduled and to have an open discussion about what course of action it will take in regards to the program.

Councilman George reported that the plastic bag ordinance went into effect on May 1st. He thanked Rite Aid for anticipating and already going to recyclable paper bags. He has been talking to a lot of the merchants and some people are complaining. The common complaint is that people don't have bags for their bathroom trash and their dogs. The second phase will go into effect in July. There are flyers available to sign up for the Mill Brook cleanup scheduled for Sunday, May 12th from 10:00 a.m. to 12:00 p.m. There will be multiple groups and multiple towns involved in the cleanup. There will be a group forming at John Marshall School on Cornell Street in Edison and at Johnson Park in the parking lot near Grove 2.

Borough Administrator Jover reported that the company that did the deer survey was recently sold and they do not yet have the results. They will meet with the Division of Fish and Wildlife when they get the results and then hold a community meeting. The Borough did not pay for this study.

Borough Attorney Schmierer - No report.

Mayor Brill Mittler reported that the PSE&G solar field project has started construction and this is making use of unusable land. The research will benefit Highland Park and the State of New Jersey. They will collect data on solar energy and how it gets to the grid. The Borough will make some revenue on this project. She will yield most of time to the presentation on the municipal budget.

Mayor Brill Mittler opened the meeting for public discussion and called upon all those wishing to speak to identify themselves.

Khahlidra Hadhazy, 512 South 2nd Avenue, commented that she is here representing her mom who is a resident of South 7th Avenue. She understands that on the agenda tonight that they will be discussing the proposed zoning overlay. She noted that many residents are here tonight in protest. This is her first Council meeting and she is here in protest of being excluded, in protest of being ignored and in protest of being misled. On April 10th, residents who live in close proximity to Buck Woods was invited to this very chamber and presented with a proposed zoning overlay for the development of 4 acres of land, land that has gone undeveloped for decades. They were shown a rendering of 2 3 ½ story buildings that towered over existing single family homes. They were told by the Mayor and the Borough appointed consultants that the development was court ordered and that the Judge mandated 75 units of multi-family housing to be built on this land. It was explained to them by the Mayor that the 75 units of multi-family housing would satisfy the Borough's affordable housing obligation as mandated by the Mount Laurel doctrine of 1983. It was repeatedly suggested that this, the proposed overlay set forth by the Borough, was the best course of action against the "greedy developer". Nowhere in the presentation did the Borough acknowledge the passive attempt to include residents in the process of crafting this overlay. Nowhere in the presentation did the Borough give answers to why the zoning of 4 acres of land, originally zoned for single family housing, was changed in the first place. It was only after several demands for clarity did the Mayor finally acknowledge that the 75 units was a maximum limit and not the absolute number of houses that can be built on this land. That entire experience left her and many other residents bewildered and angry. A forum to discuss the overlay implies that residents have a say, that their input matters, but clearly it does not, because the overlay had already been written and here we are a month later protesting a vote of its approval. Had you allowed them to participate in this process they would have commended the Borough for its efforts to right past wrongs with the creation of more affordable housing. The neighborhood in which this housing is to be constructed has an abundance of affordable housing. They are currently 784 units of apartments spread across 141 buildings in a 1.9-mile radius between South 6th Avenue and Crowells Road. Many with average rents of \$1,650 and many that would qualify for affordable. They are not rejecting the construction of new affordable housing, but the manner in which the Borough plans to achieve it.

Ruth Matilsky, 109 South 4th Avenue, commented that on Passover she was deputized to come in. Water and sewer bills have added fees for paying online when paying from a checking account. This doesn't happen when she pays other bills. Recreation center sports forms cannot be submitted online and there is no Borough option for paying online. A few months ago, she came in and said there needs to be a better way to contact people when taxes are due. Most people who don't have mortgages are senior citizens and if you aren't reminded when your taxes are due, chances are, you could forget. In this town, there are a lot of intelligent people who might be willing to volunteer to help the town do something about the online notifications. The backup for not paying taxes on time shouldn't be that your name gets put in the paper and your overdue taxes sold to a credit company. Besides worrying people about the measles, it would be very useful if people had the information about Vitamin A deficiency and how that contributes to serious cases of the measles. She is really disturbed about the program that might be cancelled at the Library. She is an observant Jewish woman who supports BDS, a peaceful protest way. She thinks it is wrong and she will be attending the May 20th meeting. Borough Administrator Jover noted that the Borough will be offering Recreation programs online with the ability to pay. If you pay your bills through the website, they have to pass along transactional fees from the vendor. If you pay through your bank online with the Borough as a payee, they may send a paper check. It shouldn't cost anything, but you have to budget adequate time for the check to get to the Borough. Not all banks deliver their funds electronically to the Borough within a couple of days. She addressed the issue of late payments on taxes. She heard her comment last year and she is interested in thinking about notification before the tax sale and how they can do a better job of getting the word out. They are trying to collect email addresses, but part of the problem is that they don't have the resources to contact 500 people via telephone. Ms. Matilsky asked whether reminders can be sent out that taxes are due. Borough Administrator Jover noted that emails are easy, but mailings are costly and difficult. Mayor Brill Mittler clarified that the Library and the Library Board is a separate entity from the Borough and the Mayor and Council.

Susan Edmunds, 440 Grant Avenue, commented that she is the Lower Raritan Watershed Stream Keeper for Mill Brook. She expressed support to the Borough of Highland Park for the Mother's Day cleanup. She thanked Highland Park, especially Councilman George, Mayor Brill Mittler, Borough Administrator Jover and the Department of Public Works for stepping up and making the cleanup work. It will be held on Mother's Day. A stream cleanup is a way to get to know your local stream and to have some fun and to do good by preventing trash from going into the Raritan River and eventually into the Raritan Bay and the ocean.

Michael Gordon, 207 South 5th Avenue, commended Councilman Fine for bringing up the issue of the Library event. It is not a Borough event but there is oversight with a Council Liaison and tax funding goes to that. The major issue that a lot of people had was not that a book was introduced to the Library, but that there was going to be a book read to children in a children format. On one of the pages there is "I for Intifada" which was a violent uprising. It wasn't a cute little protest as the book portrays. That's what they feel is dangerous about it. Everyone is for freedom of speech and for a free public library with diverse views and expressions. A children's event is not a place for this type of conversation.

Hayden Zhiung, 411 South 5th Avenue, commented that he is here to talk about the Buck Woods issue and he is the primary author of the online petition. They have collected 250 online signatures and 67 hand signatures. This is the worst plan for the future for our town. He gave a shout out to the Borough for holding talks with the developer. He grew up in affordable housing. The Mount Laurel doctrine calls for affordable housing to be integrated into the fabrics of the community and not isolated into one area of town. South 6th Avenue already has the highest concentration of affordable housing. There are already two tall buildings in this area and you plan to add two more.

No one else appearing to be heard, the Mayor closed the public discussion.

The Clerk reported advertising an ordinance entitled, AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK IN MIDDLESEX COUNTY CREATING A MULTI-FAMILY RESIDENTIAL-OVERLAY ZONE, for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilwoman Welkovits, seconded by Councilman George, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

Mayor Brill Mittler declared the public hearing on the ordinance open to all officials and persons present and called upon all those wishing to speak for or against the ordinance to do so.

Borough Attorney Schmierer explained that the Borough is in court and has been in court since 2008 over defining how it is going to address its affordable housing obligation. Each town in the State has an affordable housing obligation. The Borough was sued a couple of times by builder's remedy lawsuits. The Borough settled those lawsuits and now they have to deal with the Fair Share Housing Center to come up with affordable housing that is credited towards the obligation of the Borough. The units that get credited towards the Borough's obligation have to be units that are deed restricted and required to be lived in by folks of very low or moderate income. The fact that there are affordable units in town, they don't count towards the State obligation unless they can be deed restricted and counted by the Fair Share Housing Center. The Borough has been in court since 2015 with the Fair Share Housing Center and as a part of that, the Buck Woods property is 4.5 acres of vacant land, privately owned, that was targeted or looked at by the court and the Fair Share Housing Center. They looked at that as a developable piece of property that could provide some affordable housing in the next cycle of affordable housing, which will be coming up in 2025. The discussion about Buck Woods then went to the court and went to the Judge overseeing the Borough's affordable housing compliance plan. As part of the settlement with the Fair Share Housing Center, Buck Woods was mentioned as a site that could sustain multi-family housing and not wiping out the single family zone. That is not being repealed. This is an additional option called an overlay zone, which is in addition to the underlying zoning. This would permit up to 75 units of housing. Of the 75 units, if they are rental houses, 15% of those would have to be built and rented to very low, low or moderate income housing. If the units are for sale units, 20% of the units built would have to be sold and deed restricted to very low, low or moderate income housing. That sets the stage for why Buck Woods was focused upon.

There is not a lot of vacant developable open land in the Borough of Highland Park. There are not 4.5 acre sites in town and that is why it was focused upon by the court and the Special Master. Right now, they are in the process of doing this overlay zoning and the ordinance tonight is up for public hearing. The Borough Council is aware of the fact that the most recent discussions before the affordable housing initiative was launched by the Fair Share Housing Center and the courts had them discussion and negotiating with the owner the building of 144 units of multi-family housing on this property. When the court and the Court Master recommended not more than 75 units of housing on the property, the Borough understood with a vacant piece of property, with the insistence of the court and the Court Master that the property should be eligible for an overlay zone. That is what will be done if the ordinance is adopted. Since the ordinance was introduced, they have been continuing mediation sessions with the Special Court Master, overseen by the Judge, with the Fair Share Housing Center and the owner of the property. As a result of that, they are continuing to adjust and fine tune the ordinance so that when the final ordinance is finalized, they will have an ordinance that hopefully work and address a number of the concerns that many of the public will raise tonight and will raise again on the 21st of May, because the 2nd ordinance they introduced is in the same situation. These two ordinances, initially introduced, are going to be revised. As a result of those revisions, his recommendation to the Governing Body tonight would be to hear all the public comments about the ordinance and to table the vote on the ordinance and continue the hearing until July 2nd. On July 2nd, you will see the 3rd and final version of the Buck Woods ordinance at a public hearing. The court order they have allowed them to make this final revision to the ordinance by the end of May. As soon as they have the ordinance drafted and ready for introduction on June 11th, that ordinance will be put up on the website and made available to anyone who wants to see it. That would be the final Buck Woods ordinance with the final numbers including density, height, coverage, areas not to be disturbed, etc. The ordinance tonight is not the final product. The 75 units is something that appears in the court settlement that they have in fair share. It will be built in two buildings closest to the end of South 6th Avenue. No building can have more than 40 units. Those fundamentals are not likely to change, but some of the other issues related to the ordinance will change. After the public hearing, his recommendation is that the Council not vote but entertain a motion to continue the public hearing until July 2nd. That will be the opportunity to comment on the final ordinance before the matter is acted upon by the Council. They have a hearing in court on July 15th on this ordinance and the settlement with fair share and that is when the ordinance has to be completed and presented to the court.

Khahlidra Hadhazy, 512 South 2nd Avenue, commented that she understands the Borough's affordable housing obligation and she understands the efforts that the Borough has made to fulfill that ordinance. The new Merriwold development has 30 affordable apartments in a 190 unit building. She did not hear in the Council's explanation of the ordinance any opportunity for public participation in crafting the next draft of the overlay ordinance. What has also not been presented to the residents are any proposed plans that the developer put forth for how that company wishes to construct that space. She thinks that the residents are not objecting to the development and they are not objecting to affordable housing. What they are objecting to is being left out of the decision making process. They are objecting to being completely shut out of having any say in how this building is constructed, how high it is, and how it fits into an undeveloped area. People are concerned with a building that towers over their existing homes. People are concerned with the fact that there is only one point of egress in the plan that has one way in and one way out. People are concerned that South 7th Avenue remains separated from South 5th Avenue and that the plan does not open up that road. There are emergency service vehicles that could come in. She speaks for herself and a bunch of other residents when they say they would appreciate a lot more transparency in this process and a lot more participation. It feels very disingenuous and very disrespectful to dictate to people what is going to go into their backyards. People have been living in this community for decades and some didn't know that this was private property and thought that this was public land until they saw bulldozers pushing trees over in their backyards. They did not know it was private property and the Borough had been fighting with the developer for decades because they have been left out of this entire process. She thinks that this is an opportunity for Highland Park to show that they can be inclusive and include residents in this process.

Dan Stern Cardinale, Harper Street, commented that he has been reading a lot about housing policy since the last meeting. Higher density does not hurt the property values of single family homes in the immediate neighborhood. In certain situations, it can increase property values. On net, apartment residents pay higher taxes and have lower costs for municipal services than residents of single family households and there is lower car use per unit for apartments by 40-80% depending on the time of week. Apartment residents actually subsidize single family homeowners in terms of things like municipal services. He is happy that it seems like we won't get McMansions or another development of luxury townhouses that are going to mostly not sell. A bunch of vacant houses would actually depress property values of the surrounding neighborhood so it is good that that is not going to be there. He has questions about how this new development is connected to the surrounding neighborhood. His understanding is that there will be a road and sidewalk on South 6th Avenue connecting it to Mansfield Street. At the other end of the property there is a pedestrian path slated for where Graham Street would connect with South 7th Avenue. His biggest disappointment in reading this ordinance is that it doesn't better connect the two surrounding neighborhoods. This development is a major opportunity to integrate two neighborhoods that have been separate since the South 7th side was developed. It has contributed in a major way to the residential segregation of Highland Park. There is an opportunity to make a major gain in integrating the two neighborhoods and decrease the segregation. This is critical because a bunch of other concerns as a town are downstream of housing segregation. We can't fix bias in the Police Department if we maintain housing segregation. This plot of land is one of the few undeveloped, but developable, pieces of land in the Borough. We need to use it to its fullest to connect the two neighborhoods. He is happy that this is not the final ordinance. Over the course of the revisions he urged them to make a road on the south side connecting the 5th Avenue side with the 7th Avenue side. Connect those two neighborhoods so that they can be integrated instead of maintaining a boundary. He feels that is the most important thing and he is afraid that the ordinance does not accomplish that. Councilwoman Welkovits explained that one of the ideas was to keep the back portion of the property as a natural habitat. They are trying to minimize the environmental impact by making it 3 ½ stories, by concentrating the building on the northern side of 6th Avenue instead of sprawling it out which had been recommended by the developer and the Borough said no. The direction they were going was to keep it a natural environment with hiking trails.

Jim Lapidis, South 7th Avenue, commented that the remarks from the previous gentlemen were interesting but he is sure that it is possible to find other viewpoints online. He does not have anything against renters. It seems like for the spirit of Highland Park we are looking for people who are invested in the community and want to be here in spirit. The property is not really a nature preserve, it is a dump. Unless there is some sort of commitment to cleaning it up, talking about hiking trails is silly. It really needs to be thought about in a realistic manner. He likes the idea of connecting the two neighborhoods together. What he thinks the surrounding community is most concerned about is that 75 units seems to be too much for that small area on a dead end street. It seems that it would lead to safety issues with emergency vehicles and also people zooming up and down the street. It would lead to traffic congestion, because at the end of South 6th Avenue is a one-way street. There are a lot of safety issues there and quality of life issues. The other thing that people are concerned about are the size of the buildings. You are saying 3 ½ stories, but it is 4 ½ stories when you consider the parking deck. Those buildings will tower over the surrounding community and he does not know how that is going to be a positive effect on property values. The senior buildings tower over that area of South 6th Avenue and South 7th Avenue and he does not know if that has a positive effect on the property values in that area. He urged the Council to consider these issues: (1) the height of the building; (2) the amount of units, which both seem excessive.

Maureen Wolniak, 416 South 7th Avenue, thanked the Borough for hearing their concerns tonight and for bringing the plan to them in the first place. She wanted to stress that when she saw the plan she thought it was a proposal and now sounds like what you had in mind as your final decision. From her perspective, living in this neighborhood, it is far too compacted in high rise for the nature of the neighborhood. Even though there are a number of buildings on South 6th Avenue that are taller, it is going to tower over them and she is not pleased with that. She personally would prefer that it be spread out further down. She agreed with Mr. Lapidis about the fact that this is a dump and has been for decades. Spreading it out and having it lower would probably be nicer for the neighbors. They are not against development and are not against affordable housing. She is very concerned that it is all concentrated in one part of town. From her perspective, she sees other places in town that need affordable housing being closer to mass transit. Her property value has not bounced back since the last recession and any time they will be hitting another recession.

Hayden Zhiung, 411 South 5th Avenue, commented that the statements Dan made about apartments paying more property taxes is interesting. A previous Mayor had said that Highland Park has too many apartment buildings and they pay far less property taxes and there are not enough single family houses to make up for it. With this development, you are only talking about 15 affordable units and will build 75 units to achieve that in this area. There are other creative ways to do affordable housing without having to build high density buildings. He urged the Council to consider other possibilities. In this neighborhood, they definitely have more than their fair share of affordable housing.

Dan Stern Cardinale, Harper Street, commented that he has the data that he was referencing in his prior comments if anyone would like the information. Apartment residents are twice as likely to socialize with their neighbors as owners of single family homes. Apartment residents are just as likely to get involved in structured social groups and for identifying with the town they live in. Apartment residents sometimes miss voting in local elections versus single family homeowners. In terms of healthy and responsible high density development in an area zoned for single-family homes, Highland Park does a good job with this on the South side in general.

Khahlidra Hadhazy, 512 South 2nd Avenue, commented that she appreciates Dan's sentiments and the data he is providing, but she challenged that the data is not specific to Highland Park. In Highland Park, where there is a majority renter population, we do have very large apartment complexes, particularly on the South Side. The South Side is two separate communities; the southwest side and the southeast side. The southwest side starts at South Adelaide and goes to South 5th and the southeast side goes from South 6th to Crowells Road. These are two very distinctive and separate neighborhoods. The homes on the southeast side have not enjoyed the same property value valuation that the rest of the town has. A lot of people have bounced back from the recession in 2008, but the southeast side has been very slow to realize those property values and for some people, they are still under water in their mortgages. There are large apartment complexes on that side of town, for example, Orchard Gardens, that has over 200 units. While they create an abundance of affordable housing with their rents averaging \$1,650 per month, they make over \$4 million dollars a year in rental revenue and pay only \$375,000 in property taxes. Anyone that is a homeowner knows that their property taxes are not that low. Our neighbors, whether homeowners or renters, are no less entitled to public resources. They are not less entitled to our roads and their children are no less entitled to our schools. While that might be the case for other cities, bigger cities, that is not the case for Highland Park. The constant that we need to maintain this environmental area and create these hiking trails is a load of nonsense. There are a lot of people on South 7th Avenue who do not enjoy having to drive all the way to South 3rd Avenue to get to the park. To make this about preserving this open space, listen to the residents that you purport to represent and they are telling you that they don't want this and are not interested in preserving an area that was historically a garbage dump and they would like to have a road that connects these two places. They would like to stop having this area that has historically been racially segregated. A lot of the development that happened in Highland Park, happened between the 60's and the 70's. She understands that the Borough didn't have affordable housing obligations then and she understands that a lot of the affordable housing does not apply to this pre-existing housing. She implored them to look at the neighborhood for which this effects. She implored them to look at the property values of the homes in the neighborhood where you would like to put two towering buildings in their backyard. No one is objecting to the development, but they are objecting to buildings towering over their house. They are anti having a street that continues to be a dead end and that can be a traffic nightmare and be potentially unsafe. They are against the continued segregation of their neighborhoods. It is an ugly history that Highland Park has. This development continues that very divisive, very discriminatory status quo.

Pam Dorman, 423 South 5th Avenue, commented about access between South 5th and South 7th and the fact that Graham Street goes right to someone's driveway. When the bike path between South 5th and the apartments was made, the original proposal was to have a road so that the sections would be connected. In previous times when the developer attempted to develop this area, one of the concerns was the fact that there was no way for a fire engine to get around there. This overlay, and any revisions, are proposals by the Borough, but when do they see a plan from the developer. Borough Attorney Schmierer noted that the concept plan that is up there has one entrance and is something that the Borough has been helping design and trying to keep the development away from the entire parcel. We had seen earlier this

year a proposal for townhomes around the perimeter of the entire parcel and a 3 story apartment building in the rear. From comments received, an effort should be made to clean up the property and the owner is responsible for cleaning up the property and he has already filed for a remediation plan with the Department of Environmental Protection. Anything polluting the property, he or they, have to clean up and then fill can be put back in and then they can build on the property. They understood that one of the objectives of this ordinance was to try to leave as much of the back part of the property going down towards the river undisturbed or reforested after the pollution was removed. They are hearing comments tonight that that idea is not good and that there is a concern to have roads. They will take these issues up with their planning professionals. This is the first time he has heard people advocating for a series of additional ways to come out the rear of the property and not really caring about preserving the property in the rear. The ordinance would have to be adopted setting forth the outline of what can be done and then the developer, if they take advantage of the overlay, would come in with a set of site plans for how they would develop the property. Once the plan is deemed complete, it would go to the Planning Board and the residents would have an opportunity to come and speak again about the specific plan.

Rob Holzapfel, 431 South 7th Avenue, commented that he has been involved in this fight for 19 years. He has contributed to the legal fund and has written to State Senators and Assembly people, along with the DEP. He praised the Council for the work that they have done. He knows that the Borough has spent over \$500,000 in legal fees fighting development here in Highland Park. If we raise property taxes, that is another senior citizen that cannot afford to live in their house. If we don't raise property taxes and squeeze the budget, that is another disadvantaged kid that cannot be sent to summer camp. He would like to see as much of the area be reforested as possible. He would like to see it blended into the neighborhoods as best as it can. He does not want to see any walls and he thanked them for their work.

No one else appearing to be heard and no objections having been received in writing, the Mayor closed the public hearing.

On motion made by Councilwoman Welkovits, seconded by Councilman George, the ordinance entitled as above, was tabled from consideration until July 2, 2019, by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Welkovits.

Opposed: None.

Absent: Councilperson Kim-Chohan.

The Clerk reported advertising an ordinance entitled, "CALENDAR YEAR ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14)", for consideration of passage on final reading by title and that affidavits of publication thereto are on file. She also reported that the ordinance had been posted and made available to the public, as required by law.

On motion made by Councilman George, seconded by Councilwoman Welkovits, and carried by unanimous affirmative voice vote, the above entitled ordinance was taken up on final reading by title.

Mayor Brill Mittler declared the public hearing on the ordinance open to all officials and persons present and called upon all those wishing to speak for or against the ordinance to do so.

No one appearing to be heard and no objections having been received in writing, the Mayor closed the public hearing.

On motion made by Councilman George, seconded by Councilwoman Welkovits, the ordinance entitled as above, being Ordinance No. 19-1983, was duly adopted by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Welkovits.

Opposed: None.

Absent: Councilperson Kim-Chohan.

The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilman George, seconded by Councilwoman Welkovits, and carried by unanimous affirmative voice vote:

No. 5-19-151

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Ordinance entitled, "CALENDAR YEAR ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14)", passed on final reading at this meeting be delivered to the Mayor for her approval, and if approved by her, that the same be recorded in full by the Borough Clerk in a proper book kept for that purpose, and be advertised by publishing the same by title in the "Home News Tribune", of East Brunswick, New Jersey, a newspaper published in the County of Middlesex and circulating in this municipality, there being no newspaper published in this municipality, in the manner prescribed by law.

The Clerk reported advertising a summary of the 2019 Municipal Budget and Tax Resolution, introduced and approved on first reading April 2, 2019, with the public hearing scheduled for May 7, 2019, and that affidavits of publication thereto are on file. She also reported that copies of the budget were made available to the public in Borough Hall and the Highland Park Library.

On motion made by Councilman Fine, seconded by Councilwoman Foster-Dublin, and carried by affirmative voice vote of all Councilpersons present, the public hearing on the 2019 Municipal Budget amendment was opened.

Borough Administrator Jover explained a power point presentation depicting a pie chart of all the taxes the Borough is responsible for collecting. The Tax Collector's Office collects all of the taxes on behalf of the Borough, the schools and the County. The total tax levy is \$48,169,419.28. 62% goes to the schools, 26% stays with the municipality, 10% goes to the County and 1% each to Middlesex County open space and the Library. The Borough also contributes additional money to the Library beyond what is required statutorily. The average homeowner in Highland Park does pay a high tax of approximately \$12,000 per year. The average assessment is \$144,299. The typical household pays approximately \$1,000 a month in property taxes. Broken down, it is \$622 for the schools, \$114 to the County, \$10 to the Library and \$265 to the Borough. The municipal budget is \$16,318,959.22 for 2019, as introduced. The biggest portion of the Municipal Budget goes for public safety, which encompasses Police, Dispatch, Fire, and the Municipal Court. The various categories do not include insurance, pension, etc. as that is allocated in a separate category. The average homeowner in Highland Park pays out of their tax bill over \$3,184 towards the municipal share. She showed a slide that depicts the various categories and how much it costs per month

for the services. The 2019 municipal budget has increased from 2018 by \$681,479.80. This relates to a \$96.16 increase in the local tax per household.

No one appearing to be heard, on motion made by Councilman George, seconded by Councilwoman Welkovits, and carried by affirmative voice vote of all Councilpersons present, the public hearing on the 2019 Municipal Budget was closed.

The following resolution, introduced by the Finance Committee, was duly adopted on motion made by Councilman Fine, seconded by Councilman George, and carried by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Welkovits.

Opposed: None.

Absent: Councilpersons Kim-Chohan.

No. 5-19-152

WHEREAS, a need has arisen to provide adequate funds for certain budget items pending adoption of the Local Municipal Budget for 2019 and NJSA 40A:4-20 provides for the making of emergency appropriations in such cases; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2019 pursuant to the provisions of NJSA 40A:4-20 (Chapter 96, PL 1951), as amended, including this resolution, total \$9,555,054.05; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Highland Park (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with NJSA 40A:4-20;

1. An emergency temporary appropriation be and the same is hereby made for the budgetary appropriations herein:

2019 TEMPORARY OPERATING BUDGET

DESCRIPTION	ACCOUNT NUMBER	2019 TEMPORARY BUDGET #9
BOROUGH ADMINISTRATION		
Salaries & Wages	20-100-1	74,768.00
Other Expenses	20-100-2	6,234.00
MAYOR & COUNCIL		
Salaries & Wages	20-110-1	13,766.00
Other Expenses	20-110-2	3,294.00
MUNICIPAL CLERK		
Salaries & Wages	20-120-1	77,809.00
Other Expenses	20-120-2	6,923.00
FINANCIAL ADMINISTRATION		
Salaries & Wages	20-130-1	16,150.00
Other Expenses	20-130-2	38,311.00
ANNUAL AUDIT		
Other Expenses	20-135-2	-
TAX COLLECTION		
Salaries & Wages	20-145-1	25,306.00
Other Expenses	20-145-2	5,285.00
TAX ASSESSMENT		
Salaries & Wages	20-150-1	23,268.00
Other Expenses	20-150-2	3,078.00
LEGAL SERVICES		
Other Expenses	20-155-2	116,875.00
ENGINEERING & PLANNING		
Other Expenses	20-165-2	5,775.00
COMMUNITY & ECONOMIC DEVELOPMENT		
Salaries & Wages	20-170-1	2,975.00
Other Expenses	20-170-2	28,088.00
INFORMATION TECHNOLOGY		
Other Expenses	20-140-2	28,744.00
CENTRAL SERVICES		
Other Expenses	20-316-2	28,656.00
PLANNING BOARD		
Salaries & Wages		2,975.00
Other Expenses	21-180-2	16,301.00
ZONING BOARD OF ADJUSTMENT		
Salaries & Wages	21-185-1	8,631.00
Other Expenses	21-185-2	3,977.00
HUMAN RIGHTS COMMISSION		
Other Expenses	21-195-2	1,000.00
GENERAL LIABILITY/WORKERS COMPENSATION		
Other Expenses	23-211-2	202,240.00

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EMPLOYEE GROUP HEALTH		
Other Expenses	23-220-2	433,500.00
POLICE		
Salaries & Wages	25-240-1	1,362,237.00
Other Expenses	25-240-2	53,213.00
POLICE DISPATCH/911		
Salaries & Wages	25-250-1	85,286.00
Other Expenses	25-250-2	656.00
OFFICE OF EMERGENCY MANAGEMENT		
Other Expenses	25-252-2	3,000.00
FIRST AID CONTRIBUTION		
Other Expenses	25-260-2	
FIRE		
Salaries & Wages	25-265-1	74,843.00
Other Expenses	25-265-2	18,769.00
LOSAP		
Other Expenses	25-265-2	4,331.00
MUNICIPAL PROSECUTOR		
Other Expenses	25-275-2	11,188.00
STREETS & ROADS		
Salaries & Wages	26-290-1	448,394.00
Other Expenses	26-290-2	48,946.00
APARTMENT COLLECTION		
Other Expenses	26-305-2	56,175.00
PUBLIC BUILDINGS & GROUNDS		
Salaries & Wages	26-310-1	18,379.00
Other Expenses	26-310-2	46,988.00
MOTOR POOL		
Salaries & Wages	26-315-1	31,339.00
Other Expenses	26-315-2	39,113.00
BOARD OF HEALTH		
Other Expenses	27-330-2	450.00
ENVIRONMENTAL COMMISSION		
Other Expenses	27-335-2	250.00
COMMISSION ON IMMIGRANT & REFUGEE AFFAIRS		
Other Expenses	27-336-2	250.00
SAFE WALKING & CYCLING COMMITTEE		
Other Expenses	27-337-2	250.00
SUSTAINABLE HIGHLAND PARK		
Other Expenses	27-338-2	800.00
HISTORICAL COMMISSION		
Other Expenses	27-339-2	250.00
COMMUNITY SERVICES - RECREATION		
Salaries & Wages	28-370-1	25,523.00
Other Expenses	28-370-2	5,938.00
COMMUNITY SERVICES - AGING		
Salaries & Wages	28-371-1	94,842.00
Other Expenses	28-371-2	7,586.00
ARTS COMMISSION		
Other Expenses	28-374-2	250.00
SHADE TREE ADVISORY COMMITTEE		
Other Expenses	28-375-2	250.00
TEEN CENTER		
Salaries & Wages	28-373-1	23,170.00
Other Expenses	28-373-2	
ELECTRICITY		
Other Expenses	31-430-2	45,000.00
STREET LIGHTING		
Other Expenses	31-435-2	62,000.00
TELEPHONE		
Other Expenses	31-440-2	16,984.00
FUEL OIL/GASOLINE/NATURAL GAS		
Other Expenses	31-460-2	39,271.00

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SANITARY LANFILL		
Other Expenses	32-465-2	94,563.00
UNIFORM CONSTRUCTION CODE		
Salaries & Wages	22-195-1	142,571.00
Other Expenses	22-195-2	4,014.00
CABLE TELEVISION		
Other Expenses	30-411-2	4,000.00
ACCUMULATED SICK LEAVE		
Salaries & Wages	30-415-1	51,500.00
COMMUNICATIONS		
Salaries & Wages	20-105-1	41,794.00
Other Expenses	20-105-2	9,883.00
MUNICIPAL COURT		
Salaries & Wages	43-490-1	70,550.00
Other Expenses	43-490-2	3,084.00
PUBLIC DEFENDER		
Other Expenses	43-495-2	1,575.00
LIBRARY		
Salaries & Wages	29-390-1	277,713.00
Other Expenses	29-390-2	90,643.00
COUNTY HEALTH SERVICES		
Other Expenses	42-401-2	11,665.00
M.C.I.A. RECYCLING		
Other Expenses	42-402-2	2,363.00
ANIMAL CONTROL SERVICES		
Other Expenses	27-340-2	5,438.00
PUBLIC AND PRIVATE PROGRAMS		
NJDEP Radon Awareness	41-707-2	2,000.00
Fire Victims Donations	41-735-2	10,015.00
Community Development Block Grant	41-708-G	58,567.00
Microgrid Phase Study		130,000.00
Recycling Tonnage		11,404.05
STATUTORY EXPENDITURES		
SOCIAL SECURITY SYSTEM		
Other Expenses	36-472-2	116,121.00
UNEMPLOYMENT COMPENSATION INSURANCE		
Other Expenses	23-225	7,000.00
PUBLIC EMPLOYEES RETIREMENT SYSTEM		
Other Expenses	36-471-2	535,169.00
POLICE AND FIREMAN'S RETIREMENT SYSTEM		
Other Expenses	36-475-2	824,898.00
	SUBTOTAL	6,306,380.05
DEBT SERVICE		
BOND PRINCIPAL		
Other Expenses	45-920-2	625,000.00
INTEREST ON BONDS		
Other Expenses	45-930-2	242,369.00
M.C.I.A. LEASE/LOAN		
Other Expenses	45-950-2	79,500.00
DBIZ LOAN		
Other Expenses	45-925-2	-
	SUBTOTAL	946,869.00

GRAND TOTAL 7,253,249.05

2019 TEMPORARY WATER AND SEWER BUDGET

DESCRIPTION		2019 TEMP
OPERATING		
Salaries & Wages		90,772.00
Other Expenses		748,933.00
Middlesex County Utilities Authority		913,650.00

STATUTORY EXPENDITURES		
Public Employee Retirement System		16,000.00
Social Security System		5,000.00
DEFERRED CHARGES		
Overexpenditure Budget Appropriation		-
	SUBTOTAL	1,774,355.00
DEBT SERVICE		
Payment of Bond Principal		460,000.00
Interest on Bonds		67,450.00
	SUBTOTAL	527,450.00
	GRAND TOTAL	2,301,805.00

2. Said emergency temporary appropriations will be provided for in the 2019 budget under the various captions listed herein.
3. A certified copy of this Resolution will be filed with the Director of the Division of Local Government Services.

Resolution Nos. 5-19-153 through 5-19-163 were duly adopted on motion made by Councilman George, seconded by Councilwoman Welkovits, and carried by the following roll call vote, to wit:
 Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Welkovits.
 Opposed: None.
 Absent: Councilwoman Welkovits.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 5-19-153

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Finance Director be and is hereby authorized to remit the amount as indicated, the same being the amount of overpayment of taxes, for the year 2018 based on successful tax appeal to the Middlesex County Board of Taxation in 2018; and

<u>BLOCK</u>	<u>LOTS</u>	<u>CHECKS MADE PAYABLE TO</u>	<u>REFUND</u>
154	11	The Davidson Legal Group LLC 433 Cleveland Avenue, LLC	\$12,262.50

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Finance Director and Tax Collector forthwith.

The following resolution, introduced by the Finance Committee, was duly adopted as above:
No. 5-19-154

WHEREAS, several real property tax payers have redeemed liens held against their property taxes and;

WHEREAS, the Tax Collector has received proof of such payments after correspondence with said property owners;

NOW, THEREFORE BE IT RESOLVED that the Borough Council, of the Borough of Highland Park, County of Middlesex, State of New Jersey, hereby authorizes the Tax Collector to release the amount specified to the lienholders listed below.

<u>Block</u>	<u>Lot</u>	<u>Lienholder</u>	<u>Amount</u>	<u>Premium</u>	<u>Total Due</u>
140	24	US BANK CUST BV002 TRST & CRDT	\$23,200.00	\$30,342.15	\$53,542.15
Cert No. 17-00069 50 South 16 th St., Suite 5050 Philadelphia, PA 19102-2513					
166	57	US BANK CUST TOWER BDVIII	\$2,300.00	\$457.14	\$2,757.14
Cert No. 18-00081 50 South 16 th St., Suite 2050 Philadelphia, PA 19102					
144	27	US BANK CUST TOWER BDVIII	\$15,000.00	\$13,351.21	\$28,351.21
Cert No. 18-00070 50 South 16 th St., Suite 2050 Philadelphia, PA 19102					
75	10.03	ATCF II NEW JERSEY TAXSERVCUST	\$14,000.00	\$3,883.56	\$17,883.56
Cert No. 18-00044 P.O. Box 54972 New Orleans, LA 70154					
158	30	ATCF II NJ TAXSERV CUST	\$8177.57	\$8500.00	\$16,677.57
Cert No. 18-00073 PO BOX 54972 New Orleans, LA 70154					
159	9	ATCF II NJ TAXSERV CUST	\$6268.22	\$7700.00	\$13,968.22
Cert No. 18-00074 PO BOX 54972 New Orleans, LA 70154					
181	43	ATCF II NEW JERSEY TAXSERVCUST	\$12,400.00	\$13,939.86	\$26,339.86
Cert No. 18-00089 P.O. Box 54972 New Orleans, LA 70154					
181	43	ATCF II NEW JERSEY TAXSERVCUST	\$13,200.00	\$14,768.64	\$27,968.64
Cert No. 18-00088 P.O. Box 54972 New Orleans, LA 70154					
82	36	ASPIRE PROPERTIES LLC	\$200.00	\$834.69	\$1,034.69
Cert No. 18-00046 P.O. Box 605 Iselin, NJ 08830					

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98	7	ASPIRE PROPERTIES LLC	\$200.00	\$1,316.20	\$1,516.20
Cert No. 18-00052		P.O. Box 605 Iselin, NJ 08830			
89	13	SBMuni Cust LB-Honey Badger	\$6985.03	\$6100.00	\$13,085.03
Cert No. 18-00049		PO BOX 31191 Tampa, FL 33631			

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 5-19-155

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park, County of Middlesex, State of New Jersey that the Tax Collector is authorized to issue an appropriate Duplicate Tax Sale Certificate for #14-00042 in accordance with the provisions of N.J.S.A. 54:5-52.1.

BE IT FURTHER RESOLVED that the Borough Clerk provide a certified copy of this Resolution to the Finance Department and the Tax Collector.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:

No. 5-19-156

WHEREAS, RH NO. 1 LLC (Robert G. Hala) has filed with the Clerk of this Borough an application for an Owners License to operate taxicabs in this Borough under the provisions of the Ordinance providing for such license for the year 2019; and

WHEREAS, the Chief of Police and/or his designee has investigated said applicant and has reported favorably upon said applications;

NOW, THEREFORE, BE IT RESOLVED that this Council hereby determined that said applicant is qualified and that public necessity and convenience would be served by the issuance of such License.

BE IT FURTHER RESOLVED that the Borough Clerk shall be and is hereby authorized and directed to issue an Owner License to the aforesaid applicant.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:

No. 5-19-157

WHEREAS, a traffic condition exists at the intersection of Route NJ 27 (M.P. 17.84) and Washington Avenue – Marlboro Road, in the Borough of Highland, in the County of Middlesex, which requires the installation of Flashing Beacon System; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has indicated its willingness to install a Flashing Beacon System at said intersection; and

WHEREAS, the State of New Jersey has proposed a form of Agreement pertaining to operation and maintenance of said Flashing Beacon System; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk of the said Borough of Highland Park, be and are hereby authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said Agreement being attached hereto and made a part hereof.

BE IT FURTHER RESOLVED the Mayor and Clerk of the Borough of Highland Park, be and hereby are authorized to execute said Agreement.

The following resolution, introduced by the Public Works and Public Utilities Committee, was duly adopted as above:

No. 5-19-158

WHEREAS, on April 10, 2019 pursuant to a duly advertised Notice to Bidders, the Borough of Highland Park (“Borough”) received two (2) bids for the Improvements to North Third Avenue and Hilton Street, Improvements to Merilind Avenue and South Seventh Avenue, and Improvements to Various Municipal Parking Lots (“Project”). Which bids are as follows;

JADS Construction	\$739,639.00
South River, NJ	
Black Rock Enterprise, LLC	\$1,128,555.00
Old Bridge, NJ	

WHEREAS, upon recommendation of the Borough Engineer and review by the Borough Attorney, the Borough desires to award the contract for the Project to JADS Construction Company, Inc.; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for the award of the contract purpose in the amount of \$739,639.00 in Account No. C-04-55-971-100, as reflected by the certification of funds, shown below.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park, County of Middlesex, State of New Jersey, as follows:

1. The contract for the Project is hereby awarded to JADS Construction Company, Inc., P.O. Box 513, South River, NJ 08882 in the amount of \$739,639.00, subject to the approval of the New Jersey Department of Transportation.
2. The Mayor and Borough Clerk are hereby authorized and directed to enter into a contract with JADS Construction Co., Inc. consistent herewith.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 5-19-159

WHEREAS, there is a need to retain a geotechnical engineer in order to assist with the monitoring of the steep slopes adjacent to the Buck Woods property; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that a resolution authorizing the award of a contract for “Professional Services” without competitive bidding and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Highland Park Council as follows:

1. The Mayor and Clerk of the Borough of Highland Park are hereby authorized and directed to execute a Professional Services Agreement E&LP, Inc., 140 West Main Street, High

- Bridge, New Jersey 08829 to serve as a geotechnical engineer to the Borough for a sum not to exceed \$3,250.00.
2. This contract is being awarded without competitive bidding as a “Professional Service” contract in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contracts Law, for services to be performed by a person authorized by law to practice a recognized profession that is by law regulated.
 3. A notice of this action shall be published in a newspaper of general circulation in the Borough of Highland Park within 10 days of its passage.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 5-19-160

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that the Borough Clerk be and is hereby authorized and directed to notify the Borough Finance Director that since the adoption of a resolution on January 2, 2019 showing the names of the officers and employees of the Borough of Highland Park whose salaries are on an annual basis, there have been the following changes, to wit:

MARYANN AMIANO, Tax Collector, at annual salary of \$64,000.00 effective May 13, 2019.

JOSE CURBELO, Acting Captain, at an annual salary of \$146,523.00 effective April 17, 2019.

RICHARD ABRAMS, Acting Chief, at an annual salary of \$162,232.25 effective April 17, 2019.

BE IT FURTHER RESOLVED that the Finance Director be and is hereby directed to make the necessary changes in the payroll records of the Finance Department in accordance with the changes established by this resolution.

The following resolution, introduced by the Public Safety Committee, was duly adopted as above:

No. 5-19-161

WHEREAS, Dominic DeFrank has filed with the Clerk of this Borough an application for a License to operate taxicabs under the provisions of the Ordinance providing for such Licenses for the year 2019; and

WHEREAS, the Chief of Police and/or his designee has investigated said applicants and has reported favorably upon said application;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park that said applicants are qualified and that public necessity and convenience would be served by the issuance of said License.

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to issue an Operator License to the aforesaid applicant.

The following resolution, introduced by the Administration Committee, was duly adopted as above:

No. 5-19-162

WHEREAS, the Borough of Highland Park’s Tax Collector resigned; and

WHEREAS, N.J.S.A. 40A:9-142 states that vacancies in the Tax Collector position shall be filled by appointment for the unexpired term.

BE IT RESOLVED, by the Borough Council of the Borough of Highland Park that Maryann Amiano (License No. 8461) is hereby appointed to the position of Tax Collector, effective May 13, 2019 and expiring January 1, 2021.

The following resolution, introduced by the Finance Committee, was duly adopted as above:

No. 5-19-163

BE IT RESOLVED by the Borough Council of the Borough of Highland Park that all claims presented prior to this meeting as shown on a detailed list prepared by the Borough Treasurer, and which have been submitted and approved in accordance with Highland Park Ordinance No. 1004, shall be and the same are hereby approved; and

BE IT FURTHER RESOLVED that the Borough Clerk shall include in the minutes of this meeting a statement as to all such claims approved as shown in a Bills List Journal in accordance with said Ordinance.

The bills approved for payment at this meeting, Bills List 5/07/19 can be found in the Bills List Journal Book No. 39.

Mayor Brill Mittler appointed Robert Fechter to serve as a member of the Board of Adjustment for a term to expire August 6, 2021.

The above appointment was confirmed on motion made by Councilwoman Welkovits, seconded by Councilman George and carried by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Welkovits.

Opposed: None.

Abstained: None.

Absent: Councilwoman Kim-Chohan.

The Clerk reported receipt of notification of the election of Volunteer Firefighter Quinten Moore to the rolls of the Highland Park Volunteer Fire Department.

On motion made by Councilwoman Foster-Dublin, seconded by Councilman George, the above confirmation was confirmed by the following roll call vote, to wit:

Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Welkovits.

Opposed: None.

Absent: Councilwoman Kim-Chohan.

Mayor Brill Mittler opened the meeting for public discussion and called upon all those wishing to speak to identify themselves.

Herb Gross, Adelaide Gardens, noted that the Memorial Day Parade will be held on May 27th. He encouraged residents to come out and support and honor Veterans.

Ruth Bickhardt, 307 Magnolia Street, commented that she has a broken arm/elbow as she fell on a street in Highland Park. She crossed over a driveway that had a 3" or more lifted sidewalk three weeks ago. She reported the matter to the Police. Mayor Brill Mittler noted that she will have Code Enforcement take a look at that site. Ms. Bickhardt noted that she has hired an attorney. Chief Abrams will check for the Police Report.

Jessica Hundsten, 304 Montgomery Street, commented that she appreciated the reports by Councilman Hale and Acting Chief Abrams. There was a consensus at the last public forum that it would be important to have regular community forums. She wanted to know when the next community forum would be held and what would be the focus. Acting Chief Abrams noted that they are still trying to get the rhythm of things. They should probably be able to pull off these types of meetings four times per year. They are trying to develop this while they are running other meetings and handling the business of the department. It is not on the backburner and is definitely something they want to get done.

Zanetta Rico, 50 Cedar Lane, asked about the bias reporting and the fact that on the Police Department website there has not been a single report of bias that has been confirmed based on complaints submitted in the last 8 years. She is curious when a more accessible reporting system will be put in place on the website and when will the Council and community be involved in having some oversight on bias reports that are made. She asked about the timeline for introducing a more robust data collection system in the Highland Park Police Department so that we can more easily create the reports that were mentioned in the community forum and this phase. Acting Chief Abrams noted that they are looking at ways to collect data that is more useful. The problem they are having is the programs talking to each other. The way that their computer system is set up is that it does a lot of things in aggregate and not individual and they are trying to get the computer to spit out more individual information. A new policy just came out from the Attorney General's Office about reporting bias incidents. It should be on the Borough's website. They are tying in bias incident and bias crime a little tighter which will give them more of an opportunity to get involved with these things. Sometimes you run into first amendment issues with some of the bias reporting that they get. Anyone can walk into Police Headquarters at any time and can file a complaint. A complaint can also be filed by mail, email and telephone. Once received, it automatically triggers an Internal Affairs investigation.

Dan Stern Cardinale, Harper Street, commented that as far as reporting goes, there needs to be an anonymous reporting web portal. That may lead to frivolous complaints, but that is the cost of doing business with a Police Department that has the history of bias that Highland Park has.

No one else appearing to be heard, the Mayor closed the public discussion.

The following resolution, introduced by the Council as a Whole, was duly adopted on motion made by Councilwoman Welkovits, seconded by Councilman George, and carried by the following roll call vote, to wit:

- Ayes: Councilpersons Fine, Foster-Dublin, George, Hale, Welkovits.
- Opposed: None.
- Absent: Councilperson Kim-Chohan.
- Abstained: None.

No. 5-19-164

WHEREAS, Section 8 of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council is of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, in the County of Middlesex, State of New Jersey, as follows:

1. The public shall be excluded from the closed session at close of tonight's open session.
2. The general nature of the subject matter to be discussed is as follows:
(Litigation: JSM v. Borough of Highland Park)
3. It is anticipated at this time that the above stated subject matter will be made public when these matters are resolved or as soon thereafter as it is deemed to be in the public interest to do so.
4. This Resolution shall take effect immediately.

There being no further business, on motion made by Councilman George, seconded by Councilwoman Welkovits, and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 9:31 PM.

Respectfully submitted,

Joan Hullings
Borough Clerk